



11-06-02

Gr/1638
#9 AF 11/12/02Attorney's Docket No. 35718/235742 (5718-114)
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Li *et al.* Confirmation No.: 7724
Appl. No.: 09/899,645 Group Art Unit: 1638
Filed: July 5, 2001 Examiner: McElwain, Elizabeth F.
For: METHODS FOR REGULATING BETA-OXIDATION IN PLANTS

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR
AMINO ACID SEQUENCE DISCLOSURES

Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed October 2, 2002, please replace pages 1-4 of the sequence listing and the computer-readable form as originally filed in the present application with substitute sheets 1-17 of the attached sequence listing and the substitute computer-readable form submitted concurrently herewith.

The sequence listing and computer-readable form as originally filed did not include the nucleotide and amino acid sequences of Accession Nos. AF124264, AF124265, and AF078752, which were cited in the specification and/or claims. It is submitted that the amendments, made in accordance with 37 C.F.R. §1.825(a), included in the substitute sheets of the sequence listing do not include new matter.

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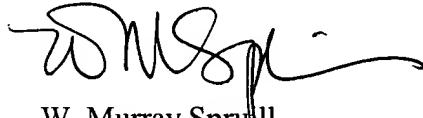
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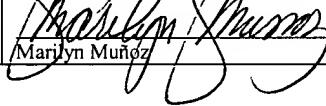
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I hereby state that the substitute copy of the computer-readable form, submitted in accordance with 37 C.F.R. §1.825(b), is the same as the amended sequence listing.

Respectfully submitted,



W. Murray Spruill
Attorney for Applicant
Registration No. 32,943

<p>CUSTOMER NO. 29122 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260</p>	<p>"Express Mail" Mailing Label Number EL 868643725 US Date of Deposit: November 4, 2002</p> <p>I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202.</p> <p> Marilyn Munoz</p>
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NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

1. This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to these regulations, published at 114 C 29, May 15, 1990 and at 55 FR 18230, May 1, 1990. See #7 below
2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
7. Other: There are sequences recited in the specification and the claims that do not have SEQ ID Nos. See the references to Genbank Accession numbers, for example

Applicant must provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact

For Rules Interpretation, call (703) 308-1123

For CRF submission help, call (703) 308-4212

For PatentIn software help, call (703) 557-0400

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Please return a copy of this notice with your response.

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